

REMARKS/ARGUMENTS

The Examiner states that the inventions of Groups I and II are related as mutually exclusive species in an intermediate-final product relationship under M.P.E.P. §806.04(b) and the intermediate product of Group I is deemed to be useful as material for making nylon film.

However, M.P.E.P. §806.04(b) states that typically, the intermediate loses its identity in the final product. Such is not the case here in which the polyimide powder is the same in both Group I and the final product of Group II. Therefore, the requirements of M.P.E.P. §806.04(b) have not been met and it is requested that the claims of Groups I and II be rejoined and examined in the present application.

The Examiner states that the inventions of Groups I and II are related as process of making and product made under M.P.E.P. §806.05(f) and the product, as claimed, can be made by another materially different process, such as pulverizing and ball-milling polyamide granules into fine polyamide powder and screening the resulting polyamide powder.

However, the process asserted by the Examiner as being a materially different process for producing the product of Group I is not considered to be a materially different process, since the pulverizing and ball-milling proposed by the Examiner may be encompassed by the mechanically post-treating a screen powder in Claim 10 of Group III and screening the polyamide powder is specifically recited in Claim 10 of Group III. Therefore, the requirements of M.P.E.P. §806.05(f) have not been met and it is requested that the claims of Groups I and III be rejoined and examined in the present application.

Further, if the claims of Group I are ultimately found allowable, it is requested that the claims of Group III be rejoined under M.P.E.P. §821.04 and allowed in the present application, also.

The Examiner states that the inventions of Groups I and IV are related as mutually exclusive species in an intermediate-final product relationship and the intermediate product of Group I is deemed to be useful as material for making nylon film.

However, as stated in the arguments above concerning the restriction between Groups I and II, the identity of the intermediate of Group I is not lost in the coated surface of Group IV, since the polyamide remains the same in both groups. Further, Claims 16 and 17 are directed product and process of using under M.P.E.P. §806.05(h) and the Examiner has not shown that the process of using, as claimed, can be practiced with another materially different product; or that the product, as claimed, can be used in a materially different process. Therefore, since the requirements of M.P.E.P. §806.04(b) and M.P.E.P. §806.05(h) have not been met, it is requested that the claims of Groups I and IV be rejoined and examined in the present application.

Further, if the claims of Group I are ultimately found allowable, it is requested that Claims 16 and 17 of Group IV be rejoined under M.P.E.P. §821.04 and allowed in the present application, also.

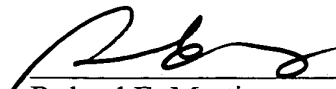
Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the burden necessary to sustain a restriction requirement. Withdrawal of the restriction requirement is respectfully requested.

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